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COMPUTERIZED SCREENING, INC.

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEVADA, NORTHERN DIVISION**

COMPUTERIZED SCREENING, INC., a)
Nevada corporation,)
)
Plaintiff,)
)
v.)
)
LIFECLINIC INTERNATIONAL, INC., a)
Maryland corporation,)
)
Defendants.)

CASE NO:

**COMPLAINT FOR
PATENT INFRINGEMENT**

DEMAND FOR JURY TRIAL

Comes now Plaintiff Computerized Screening, Inc. ("Computerized Screening"), states as follows for its complaint against Lifeclinic International, Inc. ("Lifeclinic International"):

THE PARTIES

1. Plaintiff Computerized Screening is a Nevada corporation with its principal place of business at 9550 Gateway Drive, Reno, Nevada 89521.

2. On information and belief, Defendant Lifeclinic International is a Maryland corporation with its principal place of business at 4032 Blackburn Lane, Burtonsville, Maryland 20866.

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JURISDICTION AND VENUE

3. This is an action arising under the patent laws of the United States, 35 U.S.C. sections 101 *et seq.* This Court has subject matter jurisdiction over this action under 28 U.S.C. sections 1331 and 1338(a).

4. Defendant Lifeclinic International is subject to this Court's personal jurisdiction because, on information and belief, (1) it does substantial business in this district; (2) it operates infringing health care kiosk systems that are available to their customers, including customers in this district; and/or (3) it regularly solicits business from, does business with, and derives revenue from goods and services provided to, customers in this district.

BACKGROUND

5. Charles P. Bluth ("Mr. Bluth"), founder of Computerized Screening in 1978, is a co-inventor of each of the patents-in-suit. Mr. Bluth is a serial entrepreneur who has owned and operated twenty-two businesses in Nevada and other states. He has sold many of those businesses in recent years to concentrate his attention on Computerized Screening.

6. Computerized Screening is the only FDA registered Class II medical manufacturer of patient interactive kiosks that integrate non-invasive and invasive preventive health screening technology and telemedicine solutions. Computerized Screening's kiosks provide accurate blood pressure and heart rate testing, complete fitness evaluation, drug encyclopedia and compatibility, information on local health care providers from physicians to hospitals to crisis centers, create personal health records and electronic medical records, and can track an individual's health status on a daily, weekly, or monthly basis. The kiosks provide handicap accessible seating and a weight scale integrated into the seat for weight measurement.

7. Computerized Screening's kiosks are installed in grocery and drug stores, as well as corporations, emergency rooms, hospitals, clinics, and physician's offices around the United States.

8. The Defendant employs the inventions of certain of the patents-in-suit. Computerized Screening has previously informed Defendant of the existence of the patents-in-suit and has attempted to engage the Defendant in licensing negotiations, but to date, the Defendant has not agreed to take a license to any of the patents-in-suit.

THE ASSERTED PATENTS

9. On June 11, 2002, the United States Patent and Trademark Office duly and legally issued United States Patent No. 6,403,897 (the "897 Patent") to Computerized Screening for an invention entitled "Seat Scale for Health Care Measurement Kiosk."

10. On August 6, 2002, the United States Patent and Trademark Office duly and legally issued United States Patent No. 6,428,124 (the "124 Patent") to Computerized Screening for an invention entitled "Health Care Kiosk with Handicapped Accessible Seat."

11. On February 17, 2004, the United States Patent and Trademark Office duly and legally issued United States Patent No. 6,692,436 (the "436 Patent") to Computerized Screening for an invention entitled "Health Care Information System."

FIRST CLAIM FOR RELIEF

(Patent Infringement by Defendant)

12. Computerized Screening realleges and incorporates by reference Paragraphs 1-11 of this Complaint as if fully set forth herein.

13. The Defendant is a manufacturer of automated blood pressure monitors and health testing stations and distributes such monitors and stations to customers throughout the United States.

14. On information and belief, the Defendant offers the LC500 and LC600 Health Stations that can measure blood pressure and weight from an in-seat weight scale, among other tests, and store collected data locally and transmit that data it over the Internet. Both stations provide a wheelchair option to make the stations handicap accessible and include additional options and features for performing various other functions.

15. Computerized Screening is the sole holder of the entire right, title, and interest in the '897, '124 and '436 Patents.

16. On information and belief, Defendant's health stations described in Paragraph 14 (collectively, the "Accused Products"), have been and are now infringing, actively inducing the infringement of, or contributing to the infringement of one or more claims of the patents identified

1 in Paragraph 15 of this Complaint by making, using, offering to sell, or selling the Accused
2 Products.

3 17. On information and belief, the Defendant continues to infringe, actively induce the
4 infringement of, or contribute to the infringement of one or more claims of the patents identified in
5 Paragraph 15 of this Complaint by making, using, offering to sell, or selling the Accused Products.

6 18. The Defendant's infringement of the patents identified in Paragraph 15 on this
7 Complain has been and is willful.

8 19. The Defendant's infringement has caused and will continue to cause Computerized
9 Screening irreparable harm unless enjoined by this Court. Computerize Screening has no adequate
10 remedy at law.

11 **PRAYER FOR RELIEF**

12 WHEREFORE, Computerized Screening, Inc., respectfully requests that this Court enter
13 judgment in its favor and against the Defendant and grant the following relief:

14 1. Adjudge that the Defendant has been and is infringing one or more claims of the
15 patents identified in Paragraph 15 of this Complaint by offering the Accused Products;

16 2. Adjudge the Defendant's infringement has been and is willful;

17 3. Enter an order, pursuant to 35 U.S.C. §283, temporarily, preliminarily, and
18 permanently enjoining the Defendants, and all persons in active concert or participation with it,
19 from any further acts of infringement, contributory infringement, or inducement of infringement of
20 the patents identified in Paragraph 15 of this Complaint;

21 4. Order an accounting for damages resulting from the Defendant's infringement of the
22 patents identified in Paragraph 15 of this Complaint;

23 5. Enter an order, pursuant to 35 U.S.C. § 284, awarding to Computerized Screening
24 damages adequate to compensate Computerized Screening for the Defendant's infringement, but in
25 no event less than a reasonable royalty, together with prejudgment and post-judgment interest;

26 6. Enter an order, pursuant to 35 U.S.C. § 284, and based on the Defendant's willful
27 infringement, trebling all damages awarded to Computerized Screening and against Defendant;

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1 7. Enter an order, pursuant to 35 U.S.C. § 285, finding that this is an exceptional case
2 and awarding Computerized Screening its reasonable attorneys' fees incurred in this action; and

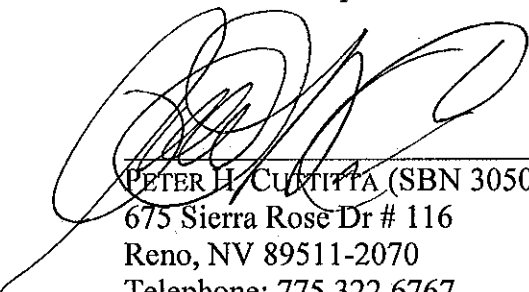
3 8. Award such other relief as the Court may deem appropriate and just under the
4 circumstances.

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6 **JURY DEMAND**

7 Pursuant to Rule 38(b) of the Federal Rules of Civil Procedure and the Seventh Amendment
8 to the Constitution of the United States, Plaintiff demands a trial by jury of all claims and all issues
9 triable as of right by jury in this action.

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11 Dated: August 18, 2009

12 **PORTER • SIMON**
13 Professional Corporation

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